

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Laurent LECOURT et al.

Serial No. (unknown)

Filed herewith

INHALABLE AEROSOL MEDICAMENT
FOR THE TREATMENT OR
PREVENTION OF PAIN

PRELIMINARY AMENDMENT

Commissioner for Patents

Washington, D.C. 20231

Sir:

Prior to calculation of the filing fee, please amend the above-identified application as follows:

IN THE CLAIMS:

Amend claim 5 as follows:

--5. (Amended) Use according to Claim 1, in which the gas is chosen from among helium, oxygen, nitrogen, xenon, hydrogen, carbon monoxide (CO), carbon dioxide (CO₂), argon, krypton, nitrogen monoxide (NO), nitrogen protoxide (N₂O), carbonated hydrocarbons, fluorocarbons and mixtures of several of these gases.

Amend claim 6 as follows:

--6. (Amended) Use according to Claim 1, in which the inhalable medicament is in the form of an aerosol

Laurent LECOURT et al.

comprising said gas and said active product in the form of a powder, liquid or a powder/liquid mixture.

Amend claim 7 as follows:

--7. (Amended) Use according to Claim 1, in which the inhalable medicament contains a therapeutically effective quantity of active product.

Amend claim 8 as follows:

--8. (Amended) Use according to Claim 1, in which the combination of said at least one gas with said at least one active product leads to a synergistic effect.

Amend claim 9 as follows:

--9. (Amended) Use according to Claim 1, in which the inhalable medicament contains at least one gas chosen from CO and NO, preferably a gas mixture containing NO and CO, and at least one active product with an anti-inflammatory action.

Amend claim 10 as follows:

--10. (Amended) Use according to Claim 1, in which the inhalable medicament contains at least one gas chosen from O₂ and N₂O.

Amend claim 11 as follows:

--11. (Amended) Use according to Claim 1, in which the inhalable medicament contains O₂ and N₂O, and at

least one active product with an analgesic or morphine-like action.

Amend claim 15 as follows:

15. (Amended) Device for delivering an aerosol, comprising:

- a reservoir (1) equipped with a reservoir opening (6),

- a membrane (3) comprising a membrane opening (5), said membrane (3) being hermetically inserted into the reservoir opening (6), and

- a valve rod (2) passing through the membrane opening(5) and the reservoir opening (6) and being hermetically inserted in and sliding in the membrane opening (5),

characterized in that the reservoir (1) contains an inhalable medicament (4) formed by a combination of at least one gas and at least one active product with an analgesic action, according to

Claim 12.--

Laurent LECOURT et al.

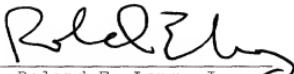
R E M A R K S

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE".

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

The claims have been amended as follows:

5. (Amended) Use according to ~~one of~~ Claims 1-to 4, in which the gas is chosen from among helium, oxygen, nitrogen, xenon, hydrogen, carbon monoxide (CO), carbon dioxide (CO₂), argon, krypton, nitrogen monoxide (NO), nitrogen protoxide (N₂O), carbonated hydrocarbons, fluoro-carbons and mixtures of several of these gases.

6. (Amended) Use according to ~~one of~~ Claims 1-to 5, in which the inhalable medicament is in the form of an aerosol comprising said gas and said active product in the form of a powder, liquid or a powder/liquid mixture.

7. (Amended) Use according to ~~one of~~ Claims 1-to 6, in which the inhalable medicament contains a therapeutically effective quantity of active product.

8. (Amended) Use according to ~~one of~~ Claims 1-to 7, in which the combination of said at least one gas with said at least one active product leads to a synergistic effect.

9. (Amended) Use according to ~~one of~~ Claims 1-to 8, in which the inhalable medicament contains at least one gas chosen from CO and NO, preferably a gas mixture containing NO and CO, and at least one active product with an anti-inflammatory action.

10. (Amended) Use according to ~~one of Claims 1 to 9~~, in which the inhalable medicament contains at least one gas chosen from O₂ and N₂O.

11. (Amended) Use according to ~~one of Claims 1 to 10~~, in which the inhalable medicament contains O₂ and N₂O, and at least one active product with an analgesic or morphine-like action.

15. (Amended) Device for delivering an aerosol, comprising:

- a reservoir (1) equipped with a reservoir opening (6),

- a membrane (3) comprising a membrane opening (5), said membrane (3) being hermetically inserted into the reservoir opening (6), and

- a valve rod (2) passing through the membrane opening (5) and the reservoir opening (6) and being hermetically inserted in and sliding in the membrane opening (5),

characterized in that the reservoir (1) contains an inhalable medicament (4) formed by a combination of at least one gas and at least one active product with an analgesic action, ~~in particular a gas according to Claim 13 and/or an active product according to Claim 12.~~